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11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15
16 In re
17 MARK KESEL,
18 Debtor.

Case No. 10-41653-WLL

CHAPTER 11

Hon. William L. Lafferty

19 **SIXTH STIPULATION TO EXTEND**
20 **DEADLINE TO DETERMINE**
21 **DISCHARGEABILITY**

[No hearing required]

1 WHEREAS on February 28, 2011, the Court's Order on Second Stipulation to
2 Extend Deadline to Determine Dischargeability was entered (Docket No. 69) (the "Second
3 Extension Order").

4 WHEREAS the Second Extension Order set a deadline of April 18, 2011 for
5 Applied Materials, Inc. ("Applied") to file an adversary proceeding to determine the
6 dischargeability of the debt arising from the judgment entered in the matter of Applied Materials,
7 Inc. v. MultiMetrixs, LLC, Mark Kesel, Boris Kesil, and Elik Gershenzon (the "Debt").

8 WHEREAS the Debtor has engaged in settlement discussions with Applied and
9 with the other judgment debtors that are liable for the Debt.

10 WHEREAS the Second Extension Order authorized the parties to further extend
11 the April 18, 2011 deadline by further stipulation without further Court order.

12 WHEREAS the undersigned parties previously stipulated to a fifth extension of
13 the deadline to September 2, 2011 (Docket No. 86).

14 WHEREAS the Debtor and Applied believe that further extending the
15 September 2, 2011 deadline will facilitate continued settlement negotiations that may produce a
16 resolution of the parties disputes and obviate the need to determine the dischargeability of the
17 Debt.

18 The undersigned parties, by and through their counsel have conferred, and hereby
19 agree and stipulate that:

20 1. The deadline for Applied Materials, Inc. to file a complaint to determine
21 the dischargeability of the Debt is extended to November 4, 2011, and the Debtor waives any
22 objection to untimeliness of such a complaint that is filed on or before November 4, 2011.

23 2. The deadline may be further extended by stipulation of the parties (without
24 further Court order) or by Court order.

25 3. All other rights of the parties are reserved.
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1 Dated: August 26, 2011

Respectfully submitted,

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8 By: /s/ Seth Goldman
9 SETH GOLDMAN

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15 By: /s/ Judith L. Whitman
16 JUDITH L. WHITMAN

17 Attorneys for Mark Kesel

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I am a citizen of the United States of America and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the above-entitled action. My business address is 355 South Grand Avenue, Suite 3500, Los Angeles, California 90071-1560.

Sixth Stipulation To Extend Deadline To Determine Dischargeability

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Certificate was executed on August 26, 2011 at Los Angeles, California.

/s/ *Michelle Simms*

Michelle Simms

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3 **SERVICE LIST**

4 Debtor

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20 Special Notice

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